

IN THE DISTRICT COURT OF APPEALS  
THIRD DISTRICT OF TEXAS  
AUSTIN, TEXAS

FILED IN  
3rd COURT OF APPEALS  
AUSTIN, TEXAS

8/26/2019 11:06:27 AM

JEFFREY D. KYLE  
Clerk

NO. 03-18-00650-CV

ALEX E. JONES, INFOWARS, LLC, FREE SPEECH SYSTEMS, LLC,  
AND OWEN SHROYER,  
*APPELLANTS*

v.

NEIL HESLIN  
*APPELLEE*

ON APPEAL FROM CAUSE NUMBER D-1-GN-18-001835  
53<sup>rd</sup> DISTRICT COURT, TRAVIS COUNTY, TEXAS  
HON. SCOTT JENKINS PRESIDING

**APPELLANTS' MOTION TO SUPPLEMENT  
APPELLANTS' INITIAL BRIEF**

TO THE HONORABLE COURT OF APPEALS:

Alex E. Jones, INFOWARS, LLC, FREE SPEECH SYSTEMS, LLC, and Owen Shroyer, Appellants, ask this Court to permit them to supplement their Initial Brief:

I. Introduction

Alex E. Jones, INFOWARS, LLC, FREE SPEECH SYSTEMS, LLC, and Owen Shroyer are the Appellants/Defendants.

NEIL HESLIN is the Appellee/Petitioner.

## II. Argument & Authorities

A court of appeals may permit a party to supplement a brief whenever justice requires under Texas Rule of Appellate Procedure 38.7. Tex. R. App. P. 38.7.

On August 8, 2019, Appellee/Petitioner amended his pleadings in the trial court, nonsuiting twelve causes of action on appeal. In light of this amended pleading, it is important to provide additional briefing to this Court regarding the disposition of the twelve nonsuited claims.

The Court should allow Appellants to file a supplemental brief because there are no oral arguments set for this case and Appellants will immediately file the supplemental brief, causing minor delays, if any.

Justice requires the supplementation of *Appellants' Initial Brief*.

### PRAYER

For these reasons, Appellants ask the Court to grant this motion to supplement *Appellants' Initial Brief*.

Respectfully submitted,

BURNETTTURNER  
6034 W. Courtyard Drive, Suite 140  
Austin, Texas 78730  
(512) 472-5060 Telephone  
(512) 472-5427 Facsimile

/s/ Michael Burnett  
Michael Burnett  
State Bar No. 00790399  
mburnett@BurnettTurner.com

COUNSEL FOR APPELLANTS

**CERTIFICATE OF CONFERENCE**

I made a reasonable, good faith effort to reach an agreement on this motion with Mark D. Bankston, lead counsel for Appellee, but I was unable to do so.

/s/ Michael Burnett  
Michael Burnett

**CERTIFICATE OF SERVICE ON COUNSEL**

We hereby certify that on August 26, 2019, the forgoing document was served upon counsel of record via electronic service, as follows:

***Via E-Service: mark@fbtrial.com***  
Mark D. Bankston  
KASTER LYNCH FARRAR & BALL, LLP  
1010 Lamar, Suite 1600  
Houston, Texas 77002  
Lead Counsel for Appellee

/s/ Michael Burnett  
Michael Burnett